



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

August 21, 2008

MEMORANDUM FOR: AIS Observers

FROM: Amy S. Van Atten
Acting Branch Chief, FSB

SUBJECT: Collecting Codend and Liner Mesh Measurements
and Tow Level Target Species

Codend Mesh Measurements

Recently the Mid-Atlantic Fisheries Management Council analyzed observer data for Amendment 10 to the Atlantic Mackerel, Squid, and Butterfish fishery management plans. The purpose of this Amendment was to minimize bycatch of butterfish primarily within the loligo fishery. The observer data for codend/liner measurements were analyzed. After extensive review by fisherman, net builders, and NMFS some of the codend and liner mesh sizes obtained by observers were found to be unrealistic for this fishery.

It was found that in some cases, observers were recording the captain's estimate of the mesh size on the gear log instead of measuring the mesh with calipers. This as a violation of protocol and has therefore led to discrediting the program and has become an area of controversy in Amendment 10. The mesh size field for the codend and liner must be actual measurements, as taken with metric calipers.

Observer interviews revealed that in some cases the liner/codend was being measured, however the captain was not being notified. This transformed into captains believing that the codend was never measured and declaring such at several public comment and Council meetings.

It is now a policy that observers must inform the captain when they will be measuring the codend.

If a situation is unsafe, measurements can be taken back at port. If there are circumstances where mesh measurements can not be obtained, dash the mesh size field and describe in the comment section. If for some reason the vessel has stowed the codend or liner away prior to your measurements, the captain should help you to gain access to them so measurements may be taken; comment if measurements were taken when the gear was dry.

We recognize that this can be a potential source of conflict onboard, however these data are absolutely critical in developing management plans to allow maximizing catch of targeted species, while decreasing unwanted discards. In some types of bycatch analysis (such as that required by the Standardized Bycatch Reporting Methodology Amendment), mesh size is one of

the critical factors to assign trips to fleet sectors and without that field, the trip can not be assigned and is therefore not used in the analysis. In 2007, we estimate that over \$200,000 worth of trip data could not be used due to missing mesh size data.

Target Species

The industry also showed some concern that observers were not asking the target species on a tow by tow basis. This is very important for end users when data are analyzed, because many of the data pulls are done using target species. **Please ensure that you are accurately representing the target species on a tow by tow basis by asking the captain.** This should be asked of the captain prior to the retrieval of catch for every tow. Again, fishermen complained that the data in the existing database are flawed because they were not asked by the observer for the target species on a tow by tow basis.

While we recognize that observers have an extremely difficult job, our program has taken repeated blows in public meetings by fisherman claiming that we don't do our jobs. This negative campaign to slander the program by accusations such as there being "inherent and fatal flaws in the database" and that there is "zero confidence" from the industry led to observer issues being one of the main topics during the Amendment 10 public hearings, and resulted in not being able to use observer data to base decisions on mesh sizes.

We will continue to support observers and trust that no one is intentionally falsifying data but it is critical for observers to adhere to standard protocols. Observers should know that if you intentionally write a captain's answer in a field that should be measured, or record an "estimate" as an "actual", or record your best guess in a field that should be a captain's response – that is data falsification – it is a misrepresentation of the data and an intentional act to present data incorrectly. It is important for all observers to understand observer data's increasing role in management and monitoring. As a result, NMFS, Council staff, and industry will continue their close scrutiny of observer data. FSB and AIS staff will all be working towards rectifying the mistrust of observer data due to recent events. Please take the time to review the attachments provided with this email as it provides the background to justify the need to reinforce the protocols that are taught by the program and to implement the change to notify the captain of the mesh size measurement activity. Thank you for your attention to this matter.

Attachments:

November 8, 2007 letter from the Mid-Atlantic Fishery Management Council to the Northeast Fisheries Science Center regarding "problems with database" (2 pages).

December 27, 2007 letter from the NEFSC to MAFMC in response to potential database problems (2 pages).

March 5, 2008 Areas of Controversy and Overview of Measures pages from the Draft Supplemental Environmental Impact Statement for Amendment 10 (2 pages).

June 20, 2008 Fathoms report from the port agent in Long Island on public hearing (2 pages).

June 24, 2008 Summary of comments from the public hearings – only included those relating to observer program (3 pages).

July 29, 2008 letter from NEFOP to the MAFMC regarding findings in the observer database (15 pages).